

IN RE: APPEAL OF SOLANLLY TINEO RELATIVE TO A PROPERTY LOCATED AT 1527 NORTH FIFTH STREET, CITY OF READING, BERKS COUNTY, PENNSYLVANIA	: BEFORE THE ZONING HEARING : BOARD OF THE CITY OF READING, : PENNSYLVANIA : : APPEAL NO. 2510-0033 : : VARIANCE, INTERPRETATION : AND/OR SPECIAL EXCEPTION
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**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 10th day of December, 2025, a hearing having been held on November 12, 2025, upon the application of Solanlly Tineo, notice of such hearing having been first sent and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the Zoning Hearing Board of the City of Reading (hereinafter referred to as the “Zoning Board”) renders the following decision:

FINDINGS OF FACT

The Zoning Board finds the following facts:

1. Applicant is Solanlly Tineo, an adult individual residing at 1052 Perry Street, Reading, Berks County, Pennsylvania 19604 (hereinafter referred to as the “Applicant”).
2. Applicant has a leasehold interest in the property located at 1527 North Fifth Street, in the City of Reading, Berks County, Pennsylvania (hereinafter referred to as the “Subject Property”).
3. The fee simple owner of the Subject Property, 1527 N. 5th Street, LLC, has granted Applicant permission to seek the requested relief.
4. The Subject Property is located in the Manufacturing Commercial (M-C) Zoning District as that term and district is defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
5. Applicant was represented by Joan E. London, Esquire, of Kozloff Stoudt, 2640 Westview Drive, Wyomissing, Pennsylvania 19610.

6. Applicant operates the food truck located on the Subject Property, which was approved by the Zoning Board on November 10, 2021, under Appeal 2021-19.

7. Applicant seeks approval to change the hours of operation as decided by the Zoning Hearing Board under Appeal 2021-19.

8. A Notice of Violation for Revocation of the approved zoning permit was sent to the Applicant on April 14, 2025, due to complaints reported to the Reading Police Department during times for which the food truck is not approved to be operating.

9. Applicant thought she was approved to operate on weekends.

10. The Decision rendered by the Zoning Board under Appeal 2021-19 stated “The food truck may not be operated after 11:00 p.m. Monday through Wednesday or after 2:00 a.m. Thursday and Friday, prevailing time”.

11. The Zoning Office discussed the conditions of approval with Applicant on April 17, 2025.

12. The Notice of Violation provided to Applicant on April 14, 2025, included a total of 26 complaints to the Reading Police Department regarding the Subject Property, sixteen (16) of which were during the approved hours of operation.

13. Applicant stated she has been taking proactive steps to prevent any disturbances at the Subject Property.

14. Applicant stated she has also called the Reading Police Department for individuals that have not responded to the warnings to not play loud music or engage in other loud conduct.

15. Applicant stated if the additional hours of operation are approved, she will continue to be proactive in enforcing no loud music or other loud conduct at the Subject Property.

16. There were no objections presented at the hearing.

DISCUSSION

Applicant seeks approval to change the hours of operation for a food truck as approved by the Zoning Hearing Board under Appeal 2021-19. The Subject Property is located in the M-C Zoning

District. The Board finds that the proposed use will be a detriment to the health, safety and welfare of the neighborhood and is not in keeping with the spirit and intent of the Zoning Ordinance.

CONCLUSIONS OF LAW

1. Applicant is Solanlly Tineo.
2. The Subject Property is located at 1527 North Fifth Street, Reading, Berks County, Pennsylvania.
3. The Subject Property is located in the M-C Zoning District.
4. Applicant seeks approval to change the hours of operation for the food truck at the Subject Property.
5. The Zoning Board is permitted to grant applications for variance(s) and other relief as set forth in the Zoning Ordinance.
6. In order to grant the relief, the Applicant must show that she has satisfied the relevant sections of the Zoning Ordinance.
7. The Zoning Board incorporates the findings of fact as though fully set forth at length herein.
8. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
 - a. Applicant is denied the request to change the hours of operation for the food truck and the food truck may not be operated after 11:00 p.m. Monday through Wednesday or after 2:00 a.m. Thursday and Friday, prevailing time.
 - b. No music is allowed other than what is currently in place at the car wash on the Subject Property.
 - c. Applicant shall comply with all pertinent provisions for the permitted commercial uses on the Subject Property as specified in the Zoning Ordinance.
 - d. The food truck shall comply with all fire, safety and accessibility requirements specified by the City of Reading prior to occupancy.

- e. The food truck shall be licensed and permitted by the designated agencies authorized by the City of Reading and/or Commonwealth of Pennsylvania.
- f. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- g. Applicant may not use, expand, alter or otherwise use the Subject Property inconsistently with the contents of this Decision without making application requesting further relief from the Zoning Board.
- h. Failure to comply with any of these above-referenced conditions shall mean the immediate revocation of the relief granted herein.

The decision of this Board is by a vote of 5 to 0 .

**ZONING HEARING BOARD OF THE CITY
OF READING**

/s/ Philip Rabena

PHILIP RABENA, CHAIRMAN

/s/ Thomas Fox

THOMAS FOX

/s/ Jeffrey Gattone

JEFFREY GATTONE

/s/ Jared Barcz

JARED BARCZ

/s/ Charles Jones

CHARLES JONES